

REMARKS

Initially, in the Office Action dated February 12, 2003, the Examiner has objected to the Abstract of the Disclosure. Further, the Examiner indicates that references listed in Applicants' specification have not been submitted in a proper Information Disclosure Statement and, therefore, have not been considered. Claims 1-9 have been rejected under 35 U.S.C. §112, second paragraph. Claims 1-9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,336,100 (Yamada) in view of U.S. Patent No. 5,948,040 (DeLorme et al.).

By the present response, Applicants have submitted a new Abstract of the Disclosure. Further, Applicants have cancelled claims 1-9. Applicants have submitted new claims 10-17 for consideration by the Examiner. Claims 10-17 remain pending in the present application.

Abstract Objection

The Abstract of the Disclosure has been objected to because it exceeds 150 words. Applicants have submitted a new Abstract of the Disclosure complying with this requirement and respectfully request that this objection be withdrawn.

Information Disclosure Statement

The Examiner indicates that three references listed in Applicants' specification have not been considered since they have not been filed with an appropriate Information Disclosure Statement. Applicants submit that one of these references, along with another reference, was been submitted with an appropriate Information Disclosure Statement filed June 24, 2003. An English translation or an English abstract of the remaining two documents is unavailable and, therefore, these references have not been submitted. Applicants request the Examiner to consider

the references submitted in the filed Information Disclosure Statement on any future Office Action correspondence.

35 U.S.C. §112 Rejections

Claims 1-9 have been rejected under 35 U.S.C. §112, second paragraph. Applicants have cancelled these claims, therefore, rendering these rejections moot.

35 U.S.C. §103 Rejections

Claims 1-9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Yamada in view of DeLorme et al. Applicants have cancelled these claims, therefore, rendering these rejections moot.

New Claims

Applicants have submitted new claims 10-17 for consideration by the Examiner. Applicants assert that these claims do not add any prohibited new matter and are patentable over the cited references.

Yamada discloses an on-line shopping system that includes a server, at least one virtual store provided on the server, and a plurality of pieces of customers' terminal equipment electrically connected to the server. Each customer's order for at least one commodity being sold by the virtual store is made by the terminal equipment to the server. At least a place where the commodity is kept temporarily such as a 24 hour open convenience store is selected as a place where the commodity should be delivered when the order is made.

DeLorme et al. discloses a computerized travel reservation information and planning system that generates "map ticket" output in various media, for guidance and transactions en route. Where?, Who?/What?, When? and How? menus enable flexible user inquiries accessing selectable geographic, topical, temporal and

transactional data records and relational processing. Submenus provide further capabilities. Users engage in an interactive planning process, revising or editing travel plans, reviewing travel logs of alternate routes, selecting point of interest parameters, comparing times and costs of transportation options, in order to achieve a satisfactory travel plan. The system provides printed or electronic output.

Regarding claims 10 and 14, Applicants submit that neither Yamada nor DeLorme et al., taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, *inter alia*, generating a delivery schedule on the basis of a condition of the contract by referring to information on past delivery schedules stored in a memory unit, sending a notice of a predetermined format including a merchandise delivery schedule information to a terminal of a dealer, or monitoring whether inspection information indicating that the ordered merchandise has arrived at a dealer is received from the dealer terminal through a communication line in a predetermined period based on the delivery schedule. Yamada merely discloses to select a convenience store as a place of merchandise's reception and notify the user of contents of order. DeLorme et al. merely teaches correlating travel plans or activities with a digital map display to perform a search and a selection of a target or object. Neither Yamada nor DeLorme et al. taken alone or in combination disclose anything related to generating a delivery schedule or sending a notice of a merchandise deliver schedule information to a terminal of a dealer, or monitoring whether inspection information indicating that the ordered merchandise has arrived at a dealer is received from the dealer terminal, as recited in the claims of the present application.

Moreover, Applicants submit that there would be no motivation for one of

ordinary skill in the art to combine the on-line shopping system of Yamada with a travel reservation information and planning system of DeLorme et al. since these two patents relate to totally different concepts, and the combination fails to achieve the claimed invention.

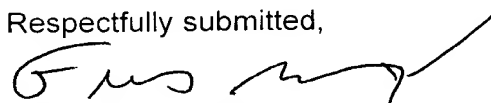
Regarding claims 11-13 and 15-17, Applicants submit that these claims are dependent on one of independent claims 10 and 14 and, therefore, are patentable at least for the same reasons noted regarding these independent claims.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 10-17 of the present application. Applicants respectfully request that these claims be considered and that these claims be allowed.

In view of the foregoing amendments and remarks, Applicants submit that claims 10-17 are in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (referencing case No. 500.38711X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



Frederick D. Bailey
Registration No. 42,282
ANTONELLI, TERRY, STOUT & KRAUS, LLP

FDB/sdb
(703) 312-6600